

REMARKS

Claims 1-7, 10-14, 23-24, 26 and 27 are currently pending. Applicant has amended claims 1, 2, 7, 10, 11, and 14. Claims 21, 22 and 27 have been canceled. Attached hereto is a marked-up version of the change made to the claims by the current amendment. The attached page is captioned **“Version with markings to show changes”**.

Specification

The disclosure was objected to due to spacing. The specification from page 15, lines 5 through page 18, line 42 is resubmitted with appropriate spacing. Applicants respectfully request withdrawal of the objection to the specification.

Claim Objections

Claim 10 was objected to because of informalities. Claim 10 is amended, deleting “create” and inserting “creating”. Applicants respectfully request withdrawal of the objection to claim 10.

Rejections under 35 U.S.C. §112

Claims 1-7, 10, 11, 14, 21-23 and 27 stand rejected under 35 U.S.C. §112, second paragraph.

Claim 1 was amended, replacing “network management center” with “database”. For examination purposes “database” is to be interpreted as “database”. Applicants request withdrawal of the rejection to claims 1, and dependent claims 2-7, 21, and 23.

Claim 2 was amended to state “statistical data are created based at least partly on providing the perceivable stimulus”. For example, a processor involved with providing the stimulus can also create statistical data, or communicate with another processor that creates statistical data, etc. For examination purposes “statistical data are created based at least partly on providing the perceivable stimulus” is to be interpreted as “statistical data are created based at least partly on providing the perceivable stimulus”. Applicants request withdrawal of the rejection to claim 2 and dependent claim 6.

Claim 14 was amended to delete “said end client”. Applicants request withdrawal of the rejection to claim 14 and dependent claims 22 and 24.

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Claim 11 was amended to state “statistical data are defined based at least partly on providing the perceivable stimulus”. For example, a processor involved with providing the stimulus can also define statistical data, or communicate with another processor that defines statistical data, etc. For examination purposes “statistical data are defined based at least partly on providing the perceivable stimulus” is to be interpreted as “statistical data are defined based at least partly on providing the perceivable stimulus”. Applicants request withdrawal of the rejection to claim 11.

Claims 21 and 22 were canceled. The rejection to claims 21 and 22 is moot.

Claim 27 is canceled. The rejection to claim 27 is moot.

Rejections under 35 U.S.C. §102

Claims 1-6, 10-13, 21, 23, 26 and 27 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,963,916 to Kaplan.

Kaplan teaches a kiosk of a music store. Applicants respectfully traverse the Examiner’s statements that Kaplan discloses that said site is disposed a distance from said product to maximize association of said stimulus with said product. For example, Kaplan does not teach or suggest that a kiosk promoting jazz CDs is located near the jazz section of the music store, and Kaplan does not teach or suggest that a kiosk promoting blues CDs is located near the blues section of the music store.

In contrast, in claim 1 as amended, “at least one of said end clients is disposed a distance from said product to encourage the consumer to purchase said product” and in claim 10 as amended, “at least one of said end clients is disposed a distance from at least one of said multiple products to encourage the consumer to purchase said at least one of said multiple products”.

In fact, Kaplan teaches away from this by discussing “any music selection in the store display” (Kaplan, column 6, lines 63-65)

The embodiment of Kaplan discussed in columns 15 lines 5 to 11 teaches away from this by discussing “a home-based computer system”. A home-based computer system is distant from the product.

For at least the above reasons, applicants respectfully request withdrawal of the 35 U.S.C. §102(e) rejection to claims 1-6, 10-13, 21, 23, 26 and 27.

Rejections under 35 U.S.C. §103

Claims 7, 14, 22 and 24 stand rejected under 35 U.S.C. §103 as being obvious over U.S. Patent No. 5,963,916 to Kaplan.

Kaplan neither teaches nor suggests the claim 1 as amended to include "at least one of said end clients is disposed a distance from said product to encourage the consumer to purchase said product" nor claim 10 as amended to include "at least one of said end clients is disposed a distance from at least one of said multiple products to encourage the consumer to purchase said at least one of said multiple products".

For at least the above reasons, applicants respectfully request withdrawal of the 35 U.S.C. §103 rejection to claims 7, 14, 22 and 24.

CONCLUSION

It is submitted that the present application is in form for allowance, and such action is respectfully requested.

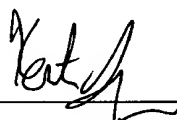
The Commissioner is authorized to charge any additional fees that may be required, including petition fees and extension of time fees, to Deposit Account No. 23-2415 (Docket No. 14750-702). A duplicate copy of this paper is enclosed.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 1, 2, 7, 10, 11 and 14 have been amended as follows:

1. (Four Times Amended) A method of disseminating information concerning a product, both of which are to be perceived by a consumer, said method comprising:

providing a [network management center] database that receives files from content providers;

transmitting said designated files with advertising information and inventory information to end clients remotely disposed with respect to said database, wherein each end client receives only its designated files and wherein at least one of said end clients is disposed a distance from said product to encourage the consumer to purchase said product;

providing a perceivable stimulus, from said designated files to said consumer, said perceivable stimulus being associated with said product; and

wherein an interactive consumer stimulus initiated by the consumer includes said perceivable stimulus.

2. (Three Times Amended) The method as recited in claim 1 wherein the perceivable stimulus is repeated multiple times and [create] statistical data are created based at least partly on providing the perceivable stimulus.

7. (Three Times Amended) The method as recited in claim 3 wherein said distribution database includes a distribution file and further including compressing and distributing said distribution file to [said end client] at least one of said end clients via satellite.

10. (Four Times Amended) A method of disseminating information concerning multiple products, said method comprising:

receiving files from content providers;

assigning at least one attribute for each file and [create] creating designated files for distribution to end clients;

creating a database containing said designated files;

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selecting a plurality of end clients;

transmitting said designated files with advertising information and inventory information to end clients with each end client receiving only its designated files, wherein said end clients are remotely disposed with respect to said database, with subsets of said end clients corresponding to differing products, including transmitting information corresponding to a first of said multiple products to one of said end clients and wherein at least one of said end clients is disposed a distance from at least one of said multiple products to encourage the consumer to purchase said at least one of said multiple products;

providing a perceivable stimulus, from said information corresponding to said first of said products, to a consumer positioned proximate to said one of said end clients, with said perceivable stimulus being associated with said first of said multiple products; and

wherein an interactive consumer stimulus initiated by said consumer includes said perceivable stimulus.

11. (Three Times Amended) The method as recited in claim 10 wherein said providing step is repeated multiple times and [defining] statistical data are defined based at least partly on providing the perceivable stimulus.

14. (Three Times Amended) The method as recited in claim 13 wherein transmitting further includes creating from a subset of said plurality of records a distribution file, wherein the distribution file is compressed and distributed [to said end client] via satellite.

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